

ALCOHOL CONTROL COMMISSION

Monday, April 17, 2023

The Alcohol Control Commission met at 5:00 p.m. this date in the City Commission Chambers of City Hall, 601 Broad Street. Monica Sheppard, Chair was present, along with John Kendrick, Steve VanMeter, Harold Morgan, Billy Cooper, and Commissioner McDaniel. Also present were Rome Police Major Mark Tison and Assistant City Attorney Stephen Moseley.

Minutes – February 23, 2023

The minutes of the February 23, 2023, meeting, as submitted in writing by the Secretary, were approved by unanimous consent. There was no meeting held in March 2023.

ZF Dreams Inc. – 2811 Martha Berry Hwy NW

The application of Mr. Satwant Singh, owner and operator of ZF Dreams, Inc., 2811 Martha Berry Hwy NW was presented. Mr. Singh requested that a new beer package license be issued to him at that location. Mr. Singh was present, and all papers were in order. Mr. Singh answered routine questions from the Alcohol Control Commission regarding his days of operation, number of employees, cash register, camera system, and training program. He plans to be open seven days a week from approximately 8:00 a.m. to midnight. There would be two employees along with himself. He plans to have a cash register system in which an ID is required in order to facilitate an alcohol sale.

Mr. Singh will have coin operated amusement machines at the rear portion of this establishment.

Mr. VanMeter moved to approve the license request subject to all final inspections and approvals by the appropriate city officials, and the submission of a detailed training program and/or certificates of online training completion by his employees within 30 days. Mr. Morgan seconded the motion, and the vote was unanimously in favor.

5th Avenue Food Mart – 1102 N. 5th Avenue

The application of Mr. Satwant Singh, owner and operator of 5th Avenue Food Mart, 1102 N. 5th Avenue, was presented. Mr. Singh requested a new beer package license be issued to him at that location and it was explained that this convenience store will be located on 5th Avenue between a pharmacy and Dollar General Store. Mr. Singh plans to operate this establishment from 8:00 a.m. to midnight each day, with two employees and himself. Like his previous location, ZF Dreams, Inc., he will have cameras, and coin operated amusement machines.

Mr. VanMeter moved to approve the license request as submitted subject to the final inspections and approval by all appropriate City Officials, and the submission of a

detailed training program and/or certificates of online training completion by his employees within 30 days. Mr. Morgan seconded the motion, and the vote was unanimously in favor.

Cherokee Valley, LLC – Corner of Riverside Parkway and Riverside Industrial Drive

The application of Mr. Sunil Mittal concerning a request for a new beer, wine, and liquor package license at Cherokee Valley, LLC which is to be located at the corner of Riverside Parkway and Riverside Industrial Drive was submitted. Mr. Mittal explained that he plans to buy this property and construct a liquor store on site. He explained that this liquor store will be very nice with its appearance and operation and will comprise 10,000 – 12,000 square feet.

Secretary Smith explained that Mr. Mittal is applying before construction begins due to the State of Georgia requirement that prohibits new liquor stores from being within 1500 feet of an existing liquor store. Mr. Mittal is concerned that before he can get his facility constructed, someone else could open a liquor store in an existing building in close proximity and cancel his opportunity for a license. It was further explained that, if the Alcohol Control Commission grants approval for this alcohol license, it will be valid for 180 days and Mr. Mittal can return to the Alcohol Control Commission to request an extension. He expects to have this store completed in approximately one year.

The Alcohol Control Commission cautioned Mr. Mittal on the standards for operating a liquor store and the fact that there is no tolerance for an infraction such as selling alcohol to a person under 21.

Mr. Kendrick moved to approve the license request for a beer, wine, and liquor package operation at the corner of Riverside Parkway and Riverside Industrial Drive as submitted, subject to the building being constructed to City standards and with the approval of all appropriate City officials. Mr. VanMeter seconded the motion, and the vote was unanimously in favor.

K & A Mart, LLC – 1807 Maple Avenue SW

The application of Mr. Khuram Ramzanali, owner and operator of K & A Mart, LLC, 1807 Maple Avenue SW, was presented. Mr. Ramzanali requested a new beer package license be issued to him at this location. Secretary Smith explained that there has been an alcohol license at this location in the past. It was operated for many years as The Lantern with a beer pouring license, however recently there have been beer package licenses issued at this location. There is a church in relatively close proximity to this location, however it is outside of the 300 foot buffer requirement.

Mr. Ramzanali stated that he is an experienced convenience store operator and wishes to establish a facility at this location. He will operate it seven days a week from

approximately 7:00 a.m. to midnight. He stated that he will have coin operated amusement machines at this facility. He spoke of items related to his training program and security cameras.

Mr. Cooper moved to approve the license request as submitted, subject to all final inspections and approvals by the appropriate City officials, and the submission of a detailed training program and/or certificates of online training completion by his employees within 30 days. Mr. Kendrick seconded the motion, and the vote was unanimously in favor.

There was some discussion regarding the high number of convenience stores of this type within relatively close proximity to this store.

R & K Business 2023, LLC – 1928 Shorter Avenue

The application of Ms. Roshan K. Bhaidani, owner and operator of R & K Business 2023, LLC, 1928 Shorter Avenue was presented. Ms. Bhaidani requests that a new beer and wine package license be issued to her at this location. Secretary Smith explained that there had been a convenience store at this site for many years, although there is a church across Shorter Avenue from this location, the site does meet the buffer requirements. Ms. Bhaidani explained that the store is being remodeled at this time and she hopes to open soon. She will have coin operated amusement machines and the store will be open from 7:00 a.m. to 11:00 p.m. seven days per week, with herself and three additional employees.

Mr. Cooper moved to approve the license request as submitted subject to all final inspections and approvals by the appropriate City officials, and the submission of a detailed training program and/or certificates of online training completion by his employees within 30 days. Mr. VanMeter seconded the motion, and the vote was unanimously in favor.

Shop N Save – 1303 Shorter Avenue

The application of Mr. Brahmhatt Akash Harshadkumar, owner and operator of Shop N Save, 1303 Shorter Avenue was presented. Mr. Harshadkumar requested that a new beer and wine package license be issued to him at this location. This location is on Shorter Avenue between Leon and Williamson Streets. There are other convenience stores in the area and there has been an alcohol license issued in the past at this location and the location immediately next door.

Mr. Harshadkumar stated that this facility will be open from 8:00 a.m. to 11:00 p.m. each day and that it will be staffed by himself and two additional employees. There will also be coin operated amusement machines at this facility. After routine conversation regarding the operation of the store and his training program, Mr. Kendrick moved to approve the license request as submitted subject to all final inspections and approvals by

the appropriate City officials, and the submission of a detailed training program and/or certificates of online training completion by his employees within 30 days. Mr. Cooper seconded the motion, and the vote was unanimously in favor.

Alcohol Sales Permit Appeal – Hope McAlee

Ms. Hope McAlee was present to request an appeal regarding the City of Rome Alcohol Sales Permit. It was explained that Ms. McAlee is a convicted felon. She was convicted of criminal damage to property (two counts) approximately two years ago. Since her felony convictions have been within the past three years, she is prohibited from receiving her alcohol sales permit without ACC approval.

Ms. McAlee was present and explained the circumstances surrounding her arrest and conviction. She summarized the event as a domestic altercation between herself and her husband. There was no physical violence involved but there was damage to her home.

Ms. McAlee also submitted a document from her employer, Texas Roadhouse, stating that they are aware of her felony conviction and wish to employ her at their facility.

After a brief conversation by the ACC members, Mr. Kendrick moved to approve the alcohol sales permit appeal. Mr. Cooper seconded, and the vote was unanimously in favor.

License Hearing – Peaches, 325 Broad Street

Secretary Smith explained that Ms. Stephanie Shaw, owner and operator of Peaches, 325 Broad Street, had been instructed to appear at today’s meeting regarding a license hearing. This hearing surrounds her food/drink ratio compliance. Secretary Smith presented information to the ACC members regarding Peaches food acquisition costs, reported food sales, liquor acquisition, and reported liquor sales.

In order to hold a liquor pouring license, a restaurant must meet a food/drink ratio. The 50/50 ratio specifies that an establishment must sell at least as much food (meals prepared, served, and consumed on the premises) as distilled spirits. Beer and wine sales are not part of the equation.

With concerns regarding the amount of meals that Peaches has sold, Secretary Smith requested that Ms. Shaw submit information substantiating her food sale claims in November 2022. At the end of 2022, the information was submitted to the City Clerk’s Office regarding Peaches food acquisitions. These documents consisted of receipts from Sam’s Club, listing food, beverage and miscellaneous products that have been acquired. Ms. Shaw stated during today’s conversation that all of her food purchases take place at Sam’s Club in Rome.

Secretary Smith summarized the receipts that were submitted. These receipts constituted approximately \$1800 in food purchases, \$3,000 in soft drink and beverages, and approximately \$200 in miscellaneous items. However, during this eleven month period (January – November 2022) Peaches reported \$61,563 in food and non-alcoholic beverage sales. The City of Rome’s concern is that it is not feasible to generate over \$60,000 in food sales, having purchased less than \$5,000 in food products.

Ms. Shaw was administered the oath by Assistant City Attorney Stephen Moseley and addressed the ACC from the podium. Ms. Shaw stated that she has not submitted all of her food receipts, and maintains that she has food purchase receipts that will substantiate her food sale claims. She summarized her failure to submit these documents when requested as simply being busy, disorganized, and recovering from the 30 day license suspension that was implemented by the City Commission (August/September 2022).

There was a lengthy discussion between the ACC member and Ms. Shaw regarding her unrealistic food claims. Ms. Shaw continued to maintain that her numbers are accurate, and she has receipts to verify that data. However, the ACC stated to Ms. Shaw that perhaps it was more appropriate for Peaches to operate as a concert/entertainment venue with beer and wine sales only and not offer distilled spirits. Ms. Shaw stated that it would likely not be feasible for her to remain in business without distilled spirits.

After further discussion in an effort to be as thorough as possible, the ACC instructed Ms. Shaw to gather these missing food acquisition receipts and submit those to the City Clerk’s Office no later than 5:00 p.m. on Wednesday, April 26th. The ACC will then reconvene this hearing on Monday, May 1st at 5:00 p.m. in the City Commission Chambers. Ms. Shaw thanked the ACC members for this consideration, and stated that she understands the requirements, and will comply as directed.

Police Report

Rome Police Major Mark Tison was present and presented the police report for the previous 60 day period. There were only two arrests of note that Maj. Tison reviewed. Both of these arrests took place at Peaches, 325 Broad Street. There was no indication that there were any violations by Peaches staff and the security personnel acted appropriately in both cases.

Adjourn

With there being no further business, Chair Sheppard adjourned the meeting at 6:40 p.m.

Joseph F. Smith
City Clerk